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IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO.3017/2005

PETITIONER : Bhupendra Kumar Jain, aged 54 Yrs.
S/o. Shri Khajanchi Lal Jain,
R/o. Near Socity Ara Millers,
Badhai Para, Road, Raipur (C.G.)

P.R. No. 3/64/05
Presented by Shri C. Sharma
dated 7/7/05

VERSUS

RESPONDENTS :

1) State of Chhattisgarh, through Secretary to the dept. of home Affairs, D.K.S. Bhawan Secretariat, Raipur (C.G.)
2) Superintendent of police, Raipur, Chhattisgarh
3) Station House office, P.S. City Kotwali, Raipur (C.G.)
4) Inspector General of Police, Raipur, C.G.
5) Jagdish Prasad Gupta S/o. Babulal Gupta, aged 67 years.
6) Pradeep Kumar Gupta S/o. Jagdish Prasad Gupta, aged 45 Years.
7) Sanjay Kumar Gupta S/o. Jagdish Prasad Gupta, aged 42 Years, respondent no. 5 to 7 are R/o. House No. 11/566, Sadar Bazar, Raipur, P.S. City Kotwali, Raipur

REGISTERED-2324
7.7.05
CLERK to R.G. [illegible]

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA FOR GRANT OF WRIT IN NATURE OF MANDAMUS OR CERCIORARI OR ANY OTHER WRITS OR DIRECTIONS OR ANY OTHER REMADY OF THE LIKE NATAURE

1.) PARTICULARS OF THE PETITIONER

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.3017 सन् 05 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15-7-2005

Heard Shri S.C. Verma, counsel for the petitioner and Shri Sandeep Dubey, Govt. Advocate for the State/respondents No.1 to 4.

This is the second round of litigation by the petitioner before this Court. Earlier the petitioner filed writ petition No.3574/2003 raising the grievance that on 22-3-2003 after breaking the lock of his shop, respondents No.5 to 7 took away whole stationary materials valuing about Rs.1 lakh which was lying in the shop. He immediately rushed to the police but the police had not taken any action. While disposing of the said writ petition this Court allowed the petitioner to make a representation before respondent No.2 and respondent No.2 was directed to enquire into and decide the representation in accordance with law.

Learned counsel for the petitioner submitted that thereafter the petitioner made a representation upon which the case for the commission of the offence under Sections 454, 380 and 426 of the I.P.C. was registered on 8-1-2005 and since then the police is not proceeding with the investigation and the matter is lying as it is, therefore, the police be directed to complete the investigation and file report before the concerned Magistrate.

As the case has already been registered and the Police is not investigating into the matter, the petitioner is entitled to approach the concerned Judicial Magistrate under whose jurisdiction the concerned police station falls and concerned Magistrate is entitled to call for the report.

With the above observation, the petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve

(पीछे देखिये)